

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 716 OF 2006
WITH
CRIMINAL APPLICATION NO. 656 OF 2006
IN
APPEAL NO. 448 OF 2005

Vijaykumar Xavier Francis .. Applicant.

V/s.

The State of Maharashtra .. Respondent.

Mr. Vinod Singh for the Applicant.

Mrs. A.S.Pai, APP for the Respondent State.

CORAM : D. G. DESHPANDE
S. A. BOBDE, JJ.

DATED : 18TH JULY, 2006.

P.C.:

1. Heard the learned Advocate for the Applicant Accused and learned APP for the Respondent State.

2. The applicant is already on 90 days parole. His parole expires on 20th July, 2006. Maximum parole of 90 days was granted, therefore, there is no question of granting further extension of parole. As such this application i.e. Application No.716/2006 for extension of parole is required to be rejected and it is accordingly rejected.

3. So far as, the bail application is concerned, earlier also this court has rejected the bail application on merits. No new ground is pointed out and

therefore, the said application i.e. Application No. 656/2006 is also required to be rejected and it is accordingly rejected.

4. However, the parole was granted to the applicant in order to look after his ailing mother. She is more than 62 years of age and she is suffering from the disease viz. prolapse intervertebral disc with radiculopathy with paraplegia. She is bed ridden and advised surgical intervention for the same. A medical certificate in that regard is also filed on record. It is further submitted that even the father of the applicant is a bed -ridden and unable to look after the mother of the applicant.

5. Considering the above position, we, only on humanitarian ground grant further one month's temporary bail to the applicant. We direct the applicant to first surrender before the authorities on due date and then furnish bail bond in the amount of Rs.7000/- with one or two solvent sureties in the like amount. In that one month's period of bail, the applicant shall report to the concerned police station once in a week.

6. It is clarified that no prayer for further extension of parole or bail will be considered.

(D.G.DESHPANDE, J)

(S.A. BOBDE, J)

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